REMARKS

Objections

Objections to the Abstract

The Examiner objected to the Abstract because it exceeded the 150-word limit. In light of the current amendment to the Abstract, Applicant requests the withdrawal of the objection.

Rejections

Rejections under 35 U.S.C. § 103

Claims 1-39

Claims 1-39 stand rejected under 35 U.S.C. § 103(a) as being obvious over U.S. Patent No. 5,835,726 to Shwed et al., in view of U.S. Patent No. 6,687,762 to Van Gaasbeck et al. Vas Gaasbeck qualifies as prior art only under 35 U.S.C. § 102(e) because it issued after Applicant's filing data. Applicant does not admit that Van Gaasbeck is prior art and reserves the right to challenge it at a later date. Nonetheless, Applicant respectfully submits that the combination is improperly motivated and furthermore does not teach each and every element of the invention as claimed in claims 1-39.

The combination of Shwed and Van Gaasbeck is improper because Shwed discloses a security system for controlling outgoing information flow, while Van Gaasbeck discloses an operating environment that allows multiple operating systems to access a network server through a set of common APIs. Thus, Van Gaasbeck increases network server access and information flow in contrast to Shwed, which restricts network server access and information flow. Therefore, it would not have been obvious to combine Van Gaasbeck with Shwed because Van Gaasbeck teaches away from the limiting of access and information flow as taught by Shwed.

Furthermore, the Examiner appears to have not considered all the claim limitations in asserting that the combination of Shwed and Van Gaasbeck renders the claimed invention obvious. Claim 1 comprises two elements: "intercepting a portion of outgoing network data characteristic of the operating system" and "masking the portion of

outgoing network data to impersonate a different operating system in accordance with a security policy if the network is an untrusted network." Similar limitations appear in the remainder of the independent claims.

The Examiner is relying on Shwed as teaching the first element. Shwed discloses that an operating system can be configured to implement packet filing. However, Shwed does not teach or suggest that the packet filtering can be configured to intercept network data characteristic of an operating system, as claimed. Thus, Shwed cannot be properly interpreted as disclosing Applicant's first element.

With regard to the second claimed element, the Examiner is asserting Van Gaasbeck's set of common APIs as an equivalent. However, Van Gaasbeck only discloses that an operating system can use one of the common APIs to access a network server instead of using an API that is specific to the particular operating system. Van Gaasbeck fails to teach or suggest the masking of any data, let alone the masking of a portion of outgoing network data for the specific purpose of impersonating a different operating system in accordance with a security policy. Furthermore, there is no disclosure in Van Gaasbeck that teaches or suggest that such masking takes place if the network is an untrusted network, as specifically claimed.

Therefore, the combination of Shwed and Van Gaasbeck is both improper and does not teach each and every limitation of Applicant's invention as claimed in claim 1-39. Accordingly, the combination cannot render obvious Applicant's invention as claimed, and Applicant respectfully requests the withdrawal of the rejection of claims 1-39 under 35 U.S.C. § 103(a) over the combination of Shwed and Van Gaasbeck

SUMMARY

Claims 1-39 are currently pending. In view of the foregoing remarks, Applicant respectfully submits that the pending claims are in condition for allowance. Applicant respectfully requests reconsideration of the application and allowance of the pending claims.

If the Examiner determines the prompt allowance of these claims could be facilitated by a telephone conference, the Examiner is invited to contact Sue Holloway at (408) 720-8300 x309.
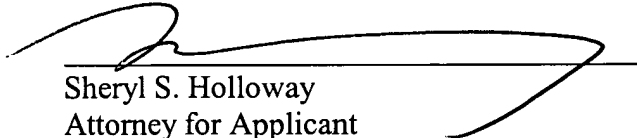
Deposit Account Authorization

Authorization is hereby given to charge our Deposit Account No. 02-2666 for any charges that may be due. Furthermore, if an extension is required, then Applicant hereby requests such extension.

Respectfully submitted,

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